

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

CYNTHIA RICHARDS-DONALD and
MICHELLE DEPRIMA, individually
and on behalf of a class of all other
persons similarly situated, and on behalf
of the Teachers Insurance and Annuity
Association of America Code Section
401(k) Plan and the Teachers Insurance
and Annuity Association of America
Retirement Plan,

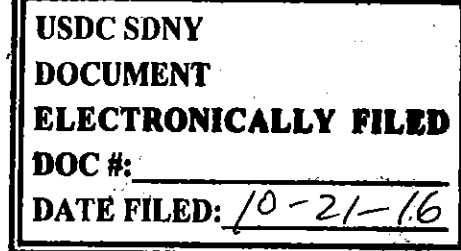
Plaintiffs,

v.

TEACHERS INSURANCE AND
ANNUITY ASSOCIATION OF
AMERICA;
TIAA PLAN INVESTMENT REVIEW
COMMITTEE; OTHA "SKIP" SPRIGGS;
DERMOT O'BRIEN; PAMELA ATKINS;
SUE COLLINS; WILLIAM RIEGEL;
JOSH SHAMANSKY; ROBERT
WEINMAN; JAYESH BHANSALI;
DAVID DUNNE; PHIL GOFF;
EDWARD MOSLANDER; PHILLIP
ROLLOCK; ELIZABETH GIBSON;
HARRY KLARISTENFELD; ANGELA
KYLE; and MARTIN SNOW,

Defendants.

Civ. A. No. 15-cv-08040-PKC



**STIPULATION OF DISMISSAL WITHOUT PREJUDICE
WITH RESPECT TO THE INDIVIDUAL DEFENDANTS**

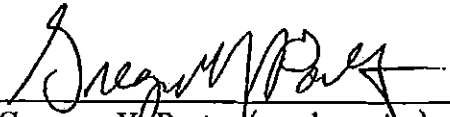
Plaintiffs Cynthia Richards-Donald and Michelle DePrima ("Plaintiffs"), by
and through their undersigned counsel, hereby dismiss this action without
prejudice pursuant to Fed. R. Civ. P. 41(a)(2) with respect to Defendants Otha

“Skip” Spriggs, Dermot O’Brien, Pamela Atkins, Sue Collins, William Riegel, Josh Shamansky, Robert Weinman, Jayesh Bhansali, David Dunne, Phil Goff, Edward Moslander, Phillip Rollock, Elizabeth Gibson, Harry Klaristenfeld, Angela Kyle, and Martin Snow (“Individual Defendants”), with each party to bear its own fees and costs, pending the final settlement of this action by Plaintiffs and Defendants Teachers Insurance and Annuity Association of America (“TIAA”) and the TIAA Plan Investment Review Committee (“Committee”).

Individual Defendants and Plaintiffs stipulate and agree that Plaintiffs’ claims against Individual Defendants may be reinstated if TIAA, the Committee, and Plaintiffs do not achieve a final settlement of this action. Individual Defendants and Plaintiffs further stipulate and agree that if reinstated, Plaintiffs’ claims will be deemed to have been filed for all purposes on October 13, 2015.

Consented and agreed to this 14th day of October, 2016 by:

BAILEY & GLASSER LLP
Attorneys for Plaintiffs



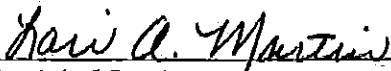
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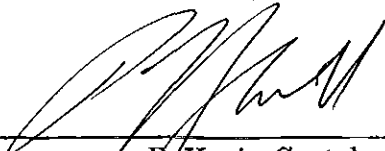
WILMER CUTLER PICKERING HALE and
DORR LLP

*Attorneys for Otha "Skip" Spriggs; Dermot
O'Brien; Pamela Atkins; Sue Collins; William
Riegel; Josh Shamansky; Robert Weinman;
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Gibson; Harry Klaristenfeld; Angela Kyle;
and Martin Snow*



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IT IS SO ORDERED this 21st day of October, 2016.



R. Kevin Castel
United States District Judge

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CERTIFICATE OF SERVICE

I, Gregory Y. Porter, hereby certify that on this 14th day of October 2016, a true and correct copy of the foregoing was served upon all counsel of record by operation of this Court's CM/ECF system.

s/ Gregory Y. Porter
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